

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: PROTON-PUMP INHIBITOR
PRODUCTS LIABILITY LITIGATION**

**2:17-MD-2789 (CCC)(MF)
(MDL 2789)
and all member and related cases**

This Document Relates to: ALL ACTIONS

Judge Claire C. Cecchi

CASE MANAGEMENT ORDER NO. 31

The Court having held a case management conference on December 19, 2018, and after reviewing the parties' submissions and having discussed various case management issues with the parties, enters the following ORDER:

1. The parties shall continue to meet and confer on a bellwether process that incorporates the following elements:

- a. New Jersey and non-New Jersey plaintiffs;
- b. some elements of randomization and self-selection by counsel;
- c. some Court selection in the process; and
- d. cases that are in Stage 1 of the proceedings.

The parties shall provide a status update on their discussions to the Court on January 11, 2019.

2. On January 11, 2019, at 10 a.m., the Court shall hold a status conference to address the following issues:

- a. Status of the Tolling Agreement;
 - i. Motions to Dismiss for Tolling Non-Compliance;
- b. Update on Discovery;
 - i. Deposition scheduling;

- ii. Status of Deposition Protocol
 - iii. Production of Clinical Documents and Data;
 - 1. Missing clinical study reports;
 - 2. SAS datasets;
 - 3. Case Report Forms;
 - iv. The timing and scope of the production of AstraZeneca's Adverse Event database;
 - v. PSC's request for leave to file motion to compel discovery pursuant to PSC's letter to Defendants dated December 7, 2018 (relating to affirmative defenses)
 - vi. Supplementation of custodial and non-custodial files
- c. Plaintiff Fact Sheet-Related Issues
- i. Defendants' pending PFS-related Motions to Compel
 - ii. "Clean-Up" CMO regarding streamlined PFS-related procedures (no PFS, non-Substantially Complete, Stage 2 Cases)
- d. Status of Motions to Withdraw

With respect to paragraph 2(c)(i) above, Defendants shall provide the Court with a list of matters subject to any motions to compel by 12 p.m. on January 10, 2019, and shall insure that all implicated counsel have input into the list prior to its submission. All implicated counsel shall be copied on the submission to the Court.

With respect to paragraph 2(a)(i) above, any oppositions to such motions to dismiss are due on January 15, 2019 with reply briefs due on January 22, 2019.

3. The Court shall hold a case management conference on January 29, 2019. The parties shall submit a Joint Report and Agenda, as well as any letters detailing their respective positions on any agenda items, to the Court by January 24, 2019 at 4pm E.S.T.

SO ORDERED:

Dated: Newark, New Jersey
January 8, 2019

A handwritten signature in black ink, consisting of a series of fluid, connected loops and curves, positioned above a horizontal line.

CLAIRE C. CECCHI
United States District Judge